HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

WRIT PETITION NO. 35037 OF 1997

BETWEEN

Nagubandi Pullaiah & others

.....**Petitioners**

And

Union of India,
Rep. by its Deputy Secretary,
Freedom Fighters Division,
New Delhi & others

.....**Respondents**

:: O R D E R::

Counsel for the Petitioners : Shri M. Raja Malla Reddy

Counsel for the Respondents : Shri A. Rajasekhar Reddy
Assistant
Solicitor General

Dated: 08.08.2006

In this petition, Nagubandi Pullaiah and 44 others have prayed for issue of a direction to Hyderabad Special Screening Committee, Telangana Region to forward their applications for grant of pension under Swatantrata Sainik Samman Pension Scheme, 1980 (for short 'the 1980 Scheme'). They have further prayed for issue a direction to respondent Nos. 1 and 3 to sanction pension in their favour under the 1980 Scheme.

Learned counsel for the petitioners invited my attention to the averments contained in paragraph 39 of the counter-affidavit filed by Shri S.D. Kaushik, Under Secretary in the Ministry of Home Affairs to show that respondent No.2 has recommended the case of petitioner Nos. 1, 5, 6, 11, 25, 32, 35, 44 and 45 and submitted that the Court may direct respondent Nos. 1 and 3 to decide their claims for grant of pension under the 1980 Scheme. He further submitted that the remaining petitioners may be given liberty to submit fresh applications along with documentary evidence in support of their claim for being treated as freedom fighters, who had taken part in Hyderabad Liberation Movement.

Shri A. Rajasekhar Reddy, learned Assistant Solicitor General says that claim of petitioner Nos. 1, 5, 6, 11, 25, 32, 35, 44 and 45 whose names were recommended by respondent No.2 will be processed and final decision will be taken within a period of three months and that the fresh applications submitted by the petitioners will be considered by the competent authority and decided in accordance with law.

In view of the submissions made by the learned counsel for the parties, the writ petition is disposed of with the following directions:

(1) The claim of petitioner Nos. 1, 5, 6, 11, 25, 32, 35, 44 and

45 for grant of pension under the 1980 Scheme shall be decided by the competent authority within a period of three months from the date of receipt of copy of this order.

(2) If any of the remaining petitioners or all of them submit fresh applications for grant of pension under the 1980 Scheme, by being treated as freedom fighters, who had participated in Hyderabad Liberation Movement and evidence is produced along with such applications, then the same shall be considered and disposed of by the competent authority within three months from the date of receipt of the application.

G.S.SINGHVI, CJ

ksld
08.08.2006